

THE HON'BLE MR JUSTICE V.V.S.RAO

-
WRIT PETITION No.19145 of 2006

-
16.10.2006

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Between:

Nunna Rama Rao, S/o.Musalayya
And others

... Petitioners

AND

The District Collector, East Godavari District at Kakinada
And others

... Respondents

THE HON'BLE MR JUSTICE V.V.S.RAO

-
WRIT PETITION No.19145 of 2006

ORDER:

The petitioners are allegedly in continuous possession and enjoyment of agricultural land admeasuring Acs.27.05 in survey Nos.105 and 106 (old survey Nos.348 and 349) situated at Ramannapalem H/o. Amaravalli Village of U-Kothapalli Mandal in East Godavari District. The petitioners also trace the title to the property to one late Ramachandrudu, the great grandfather of the petitioners, who was allegedly having possessory rights as a ryot since 1930. Be that as it is, they approached the Mandal Revenue Officer, U-Kothapalli Mandal (MRO), the second respondent herein, for issue of Pattadar Pass Books (PPBs) and title deeds, in vain. Therefore, they filed the present writ petition seeking a direction to the MRO to issue PPBs.

At the stage of admission itself, learned Assistant Government Pleader for Revenue (Assignment) obtained instructions. He submits that the land in survey Nos.105 and 106 is classified as Assessed Waste Dry (AWD) and, therefore, the PPBs and title deeds cannot be issued. There cannot be any dispute about the legal position that under Section 12 of A.P. Rights in Land and Pattadar Pass Books Act, 1971, PPBs cannot be issued in respect of any Government land. However, this Court observes that the second respondent should pass appropriate orders and dispose of the application made by the petitioners, as directed by the District Collector, East Godavari District, in Ref.F1/4231/2006, dated 24.8.2006. This exercise may be

completed within a period of eight weeks from the date of receipt of a copy of this order.

The writ petition, with the above observations, is accordingly disposed of. No costs.

October 16, 2006.

YS

(V.V.S.RAO, J)